

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

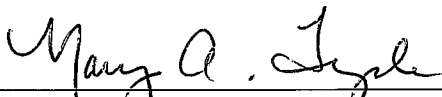
JOSEPH P. O'LEARY,)	
)	
Plaintiff,)	
v.)	
)	Case No. 09 CV 1428
HEALTHCARE SERVICES, INC., <i>et al.</i> ,)	
)	Judge Conlon
)	
Defendants.)	Jury Trial Demanded

NOTICE OF DISMISSAL

Pursuant to Federal Rule of Procedure 41(a), Plaintiff hereby voluntarily dismisses Count III of the Complaint without prejudice. Count III is asserted against defendant Mary Tolan. Defendant Tolan has not answered or moved for summary judgment.

Dated: June 1, 2009

Respectfully submitted,



Nancy A. Temple, Attorney for Plaintiff

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CERTIFICATE OF SERVICE

The undersigned certifies that on **June 1, 2009**, the foregoing Notice of Dismissal was served on the following counsel of record via electronic delivery and United States mail, first-class, postage prepaid at 542 South Dearborn Street, Chicago, Illinois:

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